IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.PADMANABHAN NAIR

WEDNESDAY, THE 22ND AUGUST 2007 / 31ST SRAVANA 1929

WP(C).No. 24548 of 2006(V)

PETITIONER:
---

1. THE ASSOCIATION OF AUTOMOBILE WORKSHOPS,
   REPRESENTED BY ITS PRESIDENT, K.VELAYUDHAN,
   DHANALAKSHMI ELECTRO PLATING WORKS,CHANDRANAGAR,
   PALAKKAD-678 007.

2. J.MANIKANDAN,
   JAWAHAR STEELS, COIMBATORE ROAD,
   CHANDRANAGAR, PALAKKAD-678 007.

BY ADV. SRI.V.CHITAMBARESH

RESPONDENTS:
---

1. THE UNION OF INDIA,
   REPRESENTED BY THE SECRETARY TO THE SHIPPING,
   ROAD TRANSPORT AND NATIONAL HIGHWAY DEPARTMENT,
   SECRETARIAT, NEW DELHI.

2. THE SPECIAL DEPUTY TAHSILDAR, S.L.A.O.,
   COMPETENT AUTHORITY, N.H.47, PALAKKAD.

3. THE PROJECT DIRECTOR AND
   GENERAL MANAGER, N.H.AUTHORITY OF INDIA,
   THUSHARA BINDU, NO.337, CHANDRANAGAR EXTENSION,
   NARICODE, PALAKKAD.

4. THE NATIONAL TRANSPORTATION PLANNING AND
   RESEARCH CENTRE (NATPAC), REPRESENTED BY ITS
   DIRECTOR, `SASTHRA BHAVAN', PATTOM PALACE P.O.,
   THIRUVANANTHAPURAM.

R1 & R4 BY ADV. SRI.PAUL JACOB, ADDL.CGSC
R2 & R3 BY ADV. SHRI THOMAS ANTONY
BY GOVT. PLEADER SHRI L.G.SURESH BABU

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 22/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K. PADMANABHAN NAIR ,J

W.P.(C) No.24548 of 2006 V

Dated, this the 22nd day of August, 2007

JUDGMENT

Petitioners have filed this Writ Petition for a direction to the National Highway Authority to consider the alternate proposals made by them. Learned standing counsel appearing for the National Highway Authority submits that notification under Section 3A(1) of the National Highways Act, 1956 was published long back and some others had raised the very same objection now raised by the petitioners and those objections were considered by the Authority in pursuance of the directions issued by this Court in W.P.(C) No.15165/2006 and already disposed of. Petitioners submitted Ext.P3 representation before the Hon'ble Minister of State for Road Transport & Highways, Government of India, New Delhi and Ext.P4 representation before the Hon'ble Union Minister for Shipping, Road Transport & Highways, Govt. of India, New Delhi.

2. Learned counsel appearing for the petitioners submits that copies of Exts.P3 and P4 were given to the third respondent also.

Considering the facts and circumstances of the case I am of the view that the Writ Petition can be disposed of by giving an opportunity to the petitioners to file representations projecting their grievances raised in Exts.P3 and P4, before the third respondent within a period of two weeks from the date of receipt of a copy of this judgment. In the representations to be filed petitioners should give

details such as survey number, boundaries and location of the respective plots claimed by them. If such representations are filed the third respondent shall consider and dispose of the same as expeditiously as possible, at any rate, within a period of six weeks from the date of receipt of representation, with due notice to the petitioners.

K. PADMANABHAN NAIR
JUDGE

cks